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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

State of Arizona, *ex rel.* Kristin K. Mayes,
Attorney General; et al.,

Plaintiffs,

v.

Michael D. Lansky, L.L.C., dba Avid Telecom;
et al.,

Defendants.

NO. CV-23-00233-TUC-CKJ

**PLAINTIFFS' SETTLEMENT
STATUS REPORT**

Pursuant to the Case Management Scheduling Order (Dkt. 102) in the above--captioned matter, the Plaintiffs submit this Plaintiffs' Settlement Status Report. In support of this Plaintiffs' Settlement Status Report, the Plaintiffs state as follows:

1. The Court referred this case for a settlement conference with Magistrate Judge Maria S. Aguilera in its August 22, 2024 Order. (Dkt. 84)
2. On December 4, 2024, the parties attended a Settlement Conference before Magistrate Judge Aguilera. (Dkt. 91, 101)

1 3. A settlement was not reached at the December 2024 Settlement Conference.
2 The parties felt progress was made with the assistance of the Court. Therefore, a continued
3 settlement conference was set by Court order for February 10, 2025. (Dkt. 101, 104)

4 4. On February 10, 2025, the parties attended the continued Settlement
5 Conference before Magistrate Judge Aguilera. A settlement was not reached. (Dkt. 106)

6 5. On February 14, February 24, February 28, March 6, March 10, May 19, May
7 27 and July 1, 2025, the parties exchanged emails related to settlement but have thus far
8 failed to reach an agreement as to the terms of any potential settlement.

9 6. As of the date of this filing, the Plaintiffs intend to continue in good faith to
10 negotiate the terms of a potential settlement as to all Defendants.

11 7. The parties are currently engaging in discovery pursuant to the Case
12 Management Scheduling Order. (Dkt. 102)

13 8. On Thursday, June 26, 2025, counsel for Plaintiffs sent an email to
14 Defendants' counsel including a proposed Joint Settlement Status Report. In this email,
15 Plaintiffs' counsel requested permission to file the Joint Settlement Status Report on behalf
16 of the parties. Plaintiffs' counsel received a "read receipt" on Sunday, June 29, 2025.

17 9. On July 1, 2025, Defendants' counsel sent an email around 1:00 p.m. (AZ
18 time) to Plaintiffs' counsel referencing a settlement communication and acknowledged
19 reading Plaintiffs' proposed Joint Settlement Status Report. However, Defendants' counsel
20 did not provide any edits to the draft or consent to the filing of the Plaintiffs' draft. Around
21 1:45 p.m. (AZ time), Plaintiffs' counsel replied to the email seeking a response to the
22 Plaintiffs' proposed draft joint report and indicated that if a response wasn't received,
23 Plaintiffs would proceed with the filing of a Plaintiffs Status Report. Around 3:00 p.m. (AZ
24 time), Defendants' Counsel responded again but again did not provide any specific edits or
25 indicate whether Defendants consented to the filing of Plaintiffs' draft. Around 3:30 p.m.
26 (AZ time), Plaintiffs' counsel again responded seeking to confirm proposed language for
27 the joint status report and whether Defendants' counsel consented to Plaintiffs' signing the
28 joint pleading on their behalf. Again, Plaintiffs' counsel indicated in the communication

1 that Plaintiffs would proceed with filing a Plaintiffs' Status Report if a timely response was
2 not received. As of the date and time of this filing, Plaintiffs have not received a response
3 from Defendants' counsel on the proposed language for the Joint Settlement Status Report
4 or whether Defendants' counsel consented to its filing. As such, this Status Report is filed
5 on behalf of the Plaintiffs.

6 10. Pursuant to the Case Management Scheduling Order, the parties or the
7 Plaintiffs will file a subsequent Settlement Status Report in three months, on or before
8 October 1, 2025. Should this matter be resolved through settlement, the parties will advise
9 this Court within ten days of settlement.

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RESPECTFULLY SUBMITTED this 1st day of July, 2025.

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CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2025, I caused the foregoing Plaintiffs' Settlement Status Report to be filed and served electronically via the Court's CM/ECF system upon counsel of record.

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